

ASSEMBLY BILL

No. 651

Introduced by Assembly Member Hueso

February 16, 2011

An act to add Sections 101.5 and 9023 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 651, as introduced, Hueso. Initiatives: paid circulators.

Existing law regulates the process of proposing initiative measures to the people and sets forth qualifications for persons who circulate initiative petitions in the state.

This bill would require an individual who receives compensation to circulate an initiative, referendum, or recall petition to wear a clearly visible badge on his or her chest stating, in no smaller than 30-point type, the name of his or her employer.

This bill would also require a firm that engages in the business of paying individuals to circulate petitions and gather signatures for state or local ballot initiatives to register with the Secretary of State and pay a registration fee to be established by the Secretary of State. The bill would require the Secretary of State to use the fees collected to maintain a directory of these firms on its Internet Web site, as well as to defray costs associated with other requirements of the bill, as specified.

This bill also would require a member of the firm to review the law relating to obtaining petition signatures with each paid petition circulator before the paid petition circulator obtains any signatures for the firm, and to submit to the Secretary of State a statement signed by each petition circulator and the member who conducted the review that the petition circulator has received the review, as well as a copy of the

training materials provided to the petition circulator in connection with the review.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 101.5 is added to the Elections Code, to
2 read:

3 101.5. An individual who receives compensation to circulate
4 an initiative, referendum, or recall petition shall identify himself
5 or herself as a paid signature gatherer by wearing a clearly visible
6 badge on his or her chest stating “EMPLOYED BY” followed by
7 the name of the employer. The lettering on the badge shall be in
8 at least 30-point type.

9 SEC. 2. Section 9023 is added to the Elections Code, to read:

10 9023. (a) For purposes of this section, a “professional petition
11 firm” means an entity that pays individuals to circulate petitions
12 and gather signatures for the purpose of qualifying an initiative
13 for a state or local election ballot.

14 (b) A professional petition firm shall register annually with the
15 Secretary of State to engage in the business of paying individuals
16 to circulate petitions and collect signatures in order to qualify an
17 initiative for a state or local election ballot. Registration
18 information shall include the full name, address, and partners,
19 owners, or officers of the firm. The registering firm shall pay a
20 registration fee to be established by the Secretary of State in an
21 amount no greater than each payor’s proportionate share of the
22 costs to the Secretary of State for the Secretary of State’s
23 implementation of this section.

24 (c) The Secretary of State shall use the registration fees specified
25 in subdivision (b) to maintain on its Internet Web site a directory
26 of professional petition firms and to defray any other costs
27 associated with its requirements as described in this section.

28 (d) A member of a professional petition firm shall review the
29 law relating to obtaining petition signatures, including prohibitions,
30 with each paid petition circulator, individually or in a group, before
31 the paid petition circulator obtains any signatures for the firm. A
32 copy of the training materials provided to the paid circulators shall
33 be submitted by the firm to the Secretary of State. A statement,

1 signed by a paid petition circulator and the individual who
2 conducted the review, that the paid petition circulator has received
3 the review required by this subdivision of the relevant law relating
4 to obtaining petition signatures, shall be submitted by the
5 professional petition firm to the Secretary of State.

6 (e) Nothing in this section shall abridge or restrict the provisions
7 of Section 9021.

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